

SENATE COMMITTEE ON HUMAN RESOURCES

April 26, 1993 Hearing Room B 3:00 p.m. Tapes 54 - 55

MEMBERS PRESENT: Sen. Bill McCoy, Chair Sen. Dick Springer, Vice-Chair
Sen. Neil Bryant Sen. Wes Cooley Sen. Grattan Kerans

VISITING MEMBERS: Sen. Tricia Smith Rep. Cynthia Wooten Rep. Kate Brown
Rep. Lisa Naito

STAFF PRESENT: Mike Meriwether, Committee Administrator Alyssa
Valenti, Committee Assistant

MEASURES CONSIDERED: SB 905 SB 846 SB 790

WITNESSES: Sen. Tricia Smith, District 17 Rep. Cynthia
Wooten, District 41 Rep. Kate Brown, District 13 Lee Smith, State
Captain, Oregon Breast Cancer

Coalition Larry Culbertson, Department of Insurance and Finance Al
Thompson, Standard Insurance Company Laurie Wimmer, Executive
Director, Commission for

Women Lolly Champion, Komen Breast Cancer Foundation Ann Blaker,
Director of Medical Affairs, American

Cancer Society Dr. Kathleen Gaffney, State Health Officer, Health

Division Mary Botkin, AFSCME Council 75, Oregon Women's Caucus, Women's
Democratic Party Peggy Anet, Administrator, League of Oregon Cities

Employee Benefit Services Trust Diane Linn, Executive Director, Oregon
NARAL Maura Roche, Planned Parenthood Affiliates of Oregon Lisa Joyce,
Oregon Insurance Consumer Advocacy,

Department of Insurance and Finance Bruce Bishop, Government Relations
Manager, Kaiser

Permanente Cindy Ziel, PHA, PACC, KMSB (small insurers) Rep. Lisa Naito,
District 15 Kathryn Weit, Families as Leaders Vietta Helmle,
Legislative Chairperson, Oregon

Coalition Against Domestic Violence Janet Rapoport, Respite Program
Manager, ARC of Lane

County Vicki Smead, Program Manager, ARC of Multnomah Respite Care Debra
Jones, Executive Director of COBRA (Central

Oregon Battering and Rape Alliance) Marilyn Mays, Executive
Director, Shelter/DVRC

(Domestic Violence Resource Center) Eileen Miller, Parent John Gervais,
Oregon Hearing Aid Society Susan Wilson, Administrator, Hearing Aid
Dealer

Licensing Board Program Norman Rose, Hearing Aid Society

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These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes. [--- Unable To Translate Graphic ---]

TAPE 54, SIDE A

006 CHAIR MCCOY: Calls the meeting to order at 3:05 p.m.

PUBLIC HEARING, SB 905

007 MIKE MERIWETHER, COMMITTEE ADMINISTRATOR: Gives overview of SB 905.

034 SEN. TRICIA SMITH, DISTRICT 17: Submits and summarizes testimony on EXHIBIT A in SUPPORT of SB 905.

141 REP. CYNTHIA WOOTEN, DISTRICT 41: Submits and summarizes testimony on EXHIBIT B in SUPPORT of SB 905.

217 REP. KATE BROWN, DISTRICT 13: Testifies in SUPPORT of SB 905.

285 SEN. BRYANT: The courts have found that it is not discriminatory to base your insurance premium rate (on life insurance) on gender because

of the actuarial basis that they have in determining that. Is that correct?

294 REP. BROWN: Responds.

300 SEN. SMITH: Continues testimony on SB 905.

336 REP. WOOTEN: Concludes testimony on SB 905.

343 SEN. COOLEY: Speaks to the bill.

353 SEN. SMITH: Responds to Sen. Cooley's comments.

359 REP. BROWN: Discusses gender based insurance rates, in clarification to questions raised by Sen. Bryant.

385 SEN. SMITH: Adds testimony to Rep. Brown's discussion.

414 LEE SMITH, STATE CAPTAIN, OREGON BREAST CANCER COALITION: Submits and summarizes testimony on EXHIBIT C in SUPPORT of SB 905.

TAPE 55, SIDE A

015 LEE SMITH: Continues testimony on SB 905.

046 SEN. KERANS: Asks if Lee Smith consulted a lawyer or

contacted the Board of Medical Examiners.

051 LEE SMITH: Responds and concludes testimony on SB 905.

058 LARRY CULBERTSON, DEPARTMENT OF INSURANCE AND FINANCE:
Testifies in SUPPORT of SB 905.

085 AL THOMPSON, STANDARD INSURANCE COMPANY: Submits and
summarizes testimony on EXHIBIT D in OPPOSITION to SB 905.

134 LAURIE WIMMER, EXECUTIVE DIRECTOR, OREGON COMMISSION FOR WOMEN:
Submits and summarizes testimony on EXHIBIT E in SUPPORT of SB 905.

226 SEN. BRYANT: Asks for a definition of "dependent pregnant
teens."

229 LAURIE WIMMER: Responds.

240 SEN. BRYANT: Do you know if there has ever been a case filed in
Oregon trying to determine whether or not it's constitutional for an
insurance company to use actuarial data as a base to set different rates
for women as opposed to men.

249 LAURIE WIMMER: Responds that she is not familiar with case law.

271 LOLLY CHAMPION, KOMEN BREAST CANCER FOUNDATION: Submits and
summarizes testimony on EXHIBIT F in SUPPORT of SB 905.

327 ANN BLAKER, DIRECTOR OF MEDICAL AFFAIRS, AMERICAN CANCER
SOCIETY: Submits and summarizes testimony on EXHIBIT G in SUPPORT of SB
905.

381 DR. KATHLEEN GAFFNEY, STATE HEALTH OFFICER, HEALTH DIVISION:
Submits and summarizes testimony on EXHIBIT H in SUPPORT of SB 905.

TAPE 54, SIDE B

005 DR. KATHLEEN GAFFNEY: Continues testimony on SB 905.

011 SEN. BRYANT: Supports mammograms, and other examinations, but
addresses concerns on actuarial distinctions.

017 LOLLY CHAMPION: Responds.

034 MARY BOTKIN, AFSCME COUNCIL 75, OREGON WOMEN'S CAUCUS,
WOMEN'S DEMOCRATIC PARTY: Testifies in SUPPORT of SB 905.

115 PEGGY ANET, ADMINISTRATOR, LEAGUE OF OREGON CITIES EMPLOYEE
BENEFIT SERVICES TRUST: Submits and summarizes testimony on EXHIBIT
I in

OPPOSITION to SB 905.

145 SEN. BRYANT: Clarifies interpretations and language intent.

150 PEGGY ANET: Responds, and continues testimony in OPPOSITION to
SB 905 .

188 DIANE LINN, EXECUTIVE DIRECTOR, OREGON NARAL: Testifies in

SUPPORT of SB 905.

228 MAURA ROCHE, PLANNED PARENTHOOD AFFILIATES OF OREGON:
Submits and summarizes testimony on EXHIBIT J in SUPPORT of SB 905.

297 LISA JOYCE, OREGON INSURANCE CONSUMER ADVOCACY, DEPARTMENT OF
INSURANCE AND FINANCE: Submits and summarizes testimony on EXHIBIT K in
SUPPORT

of SB 905.

357 BRUCE BISHOP, GOVERNMENT RELATIONS MANAGER, KAISER PERMANENTE:
Submits and summarizes testimony on EXHIBIT L in OPPOSITION to SB 905.

440 BRUCE BISHOP: Continues testimony.

TAPE 55, SIDE B

005 BRUCE BISHOP: Continues testimony in OPPOSITION to SB 905.

013 SEN. BRYANT: Do you know if the federal government has
addressed mandatory coverage of mammograms?

016 BRUCE BISHOP: Responds.

044 CINDY ZIEL, PHA, PACC, KMSB (small insurers in Oregon):
Testifies in OPPOSITION to SB 905.

077 SEN. KERANS: If we didn't have gender neutral insurance, but
we had mandates in the bill for gynecological examinations,
contraceptives,

mammography, etc., what would be the impact on the insured (their
rates)?

094 LARRY CULBERTSON: Responds.

111 SEN. KERANS: There are diseases and cancers that men experience
which women do not. Are any of those excluded? Do you know of any
gender

based exclusions that go in the other direction?

120 LARRY CULBERTSON: No. I know of no specific exclusions that
would apply to males.

REP. LISA NAITO, DISTRICT 15: Was present to register her support for
the bill.

PUBLIC HEARING, SB 846

136 MIKE MERIWETHER: Gives overview of SB 846.

151 KATHRYN WEIT, FAMILIES AS LEADERS: Submits and summarizes
testimony on EXHIBIT M in SUPPORT of SB 846.

209 VIETTA HELMLE, LEGISLATIVE CHAIRPERSON, OREGON COALITION

AGAINST DOMESTIC VIOLENCE: Testifies in SUPPORT of SB 846.

226 JANET RAPOPORT, RESPITE PROGRAM MANAGER, ARC OF LANE COUNTY:
Submits and summarizes testimony on EXHIBIT N in SUPPORT of SB 846.

273 VICKI SMEAD, PROGRAM MANAGER, ARC OF MULTNOMAH RESPITE CARE
PROGRAM: Submits and summarizes testimony on EXHIBIT O in SUPPORT of SB
846.

312 DEBRA JONES, EXECUTIVE DIRECTOR OF COBRA (CENTRAL OREGON
BATTERING AND RAPE ALLIANCE): Submits and summarizes testimony on
EXHIBIT P in

SUPPORT of SB 846.

385 SEN. KERANS: Discusses other legislation in the House which
increases fees for marriage licenses. The fees would provide revenue for
shelter

programs for battered women/domestic violence. How many times should we
raise the marriage license fee and for how many purposes?

403 UNIDENTIFIED WOMAN: The House Bill in question would add a \$1
surcharge to marriage licenses, divorce fees, and birth certificates
to fund a

statewide toll free number for an ombudsman to deal with child sexual
assault cases. I do not believe any of that money goes to domestic
violence.

416 SEN. KERANS: Stands corrected.

418 MARILYN MAYS, EXECUTIVE DIRECTOR, SHELTER/DVRC (DOMESTIC
VIOLENCE RESOURCE CENTER): Submits and summarizes testimony on
EXHIBIT Q in

SUPPORT of SB 846.

TAPE 56, SIDE A

008 MARILYN MAYS: Continues testimony on SB 846. 021 EILEEN MILLER,
PARENT: Submits and summarizes testimony on EXHIBIT S in SUPPORT of SB
846.

PUBLIC HEARING, SB 790

070 JOHN GERVAIS, OREGON HEARING AID SOCIETY: Testifies in SUPPORT
of SB 790.

077 SUSAN WILSON, ADMINISTRATOR, HEARING AID DEALER LICENSING BOARD
PROGRAM: Submits and summarizes testimony on EXHIBIT R in SUPPORT of SB
790.

100 SEN. KERANS: Asks if Susan Wilson is familiar with the
proposed amendments.

105 SUSAN WILSON: Responds.

110 SEN. KERANS: Would this bill make it lawful to sell hearing aids through the mail?

118 NORMAN ROSE, HEARING AID SOCIETY: Responds, and testifies in SUPPORT of SB 790. Responds to SEN. KERANS questions on amendments.

141 SEN. KERANS: Asks questions about refunds and returns on hearing aids.

145 NORMAN ROSE: Responds.

158 SEN. KERANS: Can I return the hearing aid at the end of the year and say that it wasn't satisfactory?

159 NORMAN ROSE: I don't think that would be reasonable.

160 SEN. KERANS: What is reasonable under the bill? Is there a certain time limit?

162 NORMAN ROSE: Responds.

168 SEN. KERANS: Asks questions on costs and license fees.

169 NORMAN ROSE: Responds.

170 SEN. COOLEY: Asks for a summarization of what the bill does.

177 SUSAN WILSON: Responds.

202 SEN. COOLEY: It doesn't change your licensing requirements?

204 SUSAN WILSON: No, it does not.

205 NORMAN ROSE: Discusses continuing education requirement for relicensing.

210 MIKE MERIWETHER: Has anybody at all now, voiced an objection to this last round of amendments?

216 JOHN GERVAIS: We are comfortable with the amendments. I haven't heard any objections.

228 CHAIR MCCOY: The bill will be held over for a future meeting.

CHAIR MCCOY ADJOURNS MEETING AT 5:15 p.m.

EXHIBIT LOG:

A - Testimony on SB 905 - Sen. Tricia Smith - 36 pages B - Testimony on SB 905 - Rep. Cynthia Wooten - 3 pages C - Testimony on SB 905 - Lee Smith - 3 pages D - Testimony on SB 905 - Al Thompson - 3 pages E - Testimony on SB 905 - Laurie Wimmer - 13 pages F - Testimony on SB 905 - Lolly Champion - 5 pages G - Testimony on SB 905 - Ann Blaker - 2 pages H - Testimony on SB 905 - Kathleen Gaffney, M.D. - 2 pages I -

Testimony on SB 905 - Peggy Anet - 5 pages J - Testimony on SB 905 -
Maura Roche - 1 page K - Testimony on SB 905 - Lisa Joyce - 22 pages L
- Testimony on SB 905 - Bruce Bishop - 4 pages M - Testimony on SB
846 - Kathryn Weit - 3 pages N - Testimony on SB 846 - Janet Rapoport -
12 pages O - Testimony on SB 846 - Vicki Smead - 4 pages P - Testimony
on SB 846 - Debra Jones - 2 pages Q - Testimony on SB 846 - Marilyn
Mays - 3 pages R - Testimony on SB 846 - Susan Wilson - 3 pages S -
Testimony on SB 846 - Eileen Miller - 4 pages

Submitted by:

Reviewed by:

Alyssa Valenti
Administrator

Mike Meriwether Assistant